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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number: 09/927,168
Filing Date: 8/9/2001
Applicant: Charles E. Slone
Application Title: DENTAL HAND TOOL FOR INTERPROXIMAL DENTAL RESTORATIONS
Examiner/ AU: J. Wilson/ 3732
Attorney Docket No.: Slone.C-05

Assistant Commissioner of Patents
Washington, District of Columbia 20231

AFFIDAVIT UNDER 37 C.F.R. §1.131

1021
DS
HS
RECEIVED
OCT 16 2003
TECHNOLOGY CENTER R3700

I, Gene Scott, hereby swear and state that:

1. Dr. Charles E. Slone came before me on November 7, 1999 and disclosed the above invention to me including presenting an actual part representing a true reduction to actual practice of the invention filed in the parent case of the present application, and which represents the invention disclosed and claimed in at least claims 1, 5, 9 and 13 of the present application.
2. U.S. patent 6186786 to Trushkowsky has been cited as prior art in rejecting claims 1-3, 5-7, 9-11 and 13 of the above application and by virtue of the effective date of said patent, December 2, 1999, I hereby submit that the applicant has shown prove of prior actual reduction to practice of his invention.
3. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, Section 1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Very respectfully,


Gene Scott, Registration no. 37,930



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number: 09/927,168
Filing Date: 8/9/2001
Applicant: Charles E. Slone
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I, Charles E. Slone, hereby swear and state that:

1. I am the sole inventor of the subject matter of the above referenced application.
2. I conceived of the subject matter of the above referenced invention and also reduced the above referenced invention to practice prior to December 2, 1999 which is the effective date of the Trushkowsky reference, and disclosed the above invention by presenting an actual part in accordance with the later filed patent to Mr. Gene Scott, Patent Agent, registration number 37,930, on November 7, 1999 at which time I requested that a patent application be prepared for the above invention.
3. U.S. patent 6,186,786 to Trushkowsky has been cited as prior art in rejecting claims 1-3, 5-7, 9-11 and 13 of the above application and by virtue of the effective date of said patent, December 2, 1999, applicant swears behind said patent in that by these means, applicant shows prove of prior actual reduction to practice of the invention.
4. Listed below and attached herewith is proof of date of reduction to actual practice of the invention as:
 - a) Letter from Craftech Corporation, Anaheim, CA from Peter Weisel VP Sales re: quotation for manufacture of Contact Pro. 8/3/98. 1pp
 - b) Fax of a progress report from Craftech Corportion, Anaheim, CA from John Ayers, VP Engineering re: Contact Pro prototype build. 11/18/98. 2pp

09/30/03 TUE 18:47 FAX 714 888 0000

PATENT LAW & VENTURE

0003

- c) Fax of a progress report from Craftech Corporation, Anaheim, CA from John Ayers, VP Engineering re: Contact Pro prototype build. 12/4/98. 2pp
 - d) Invoice for 2634 Contact Pro parts from Craftech Corporation. 5/21/99. 1pp
 - e) Invoice for 1224 Contact Pro parts from Craftech Corporation. 5/26/99. 1pp
 - f) Invoice for 1800 Contact Pro parts from Craftech Corporation. 9/29/99. 1pp
 - g) Original cut sheet from Dentistry Today magazine with advertisement for Contact Pro device. September 1999. The parent patent US6280187 of which the present application is a CIP, was filed on 2/11/00; within one year of this public disclosure.
 - h) Product insertion sheet (8-1/2 by 7 inches) included with product under sale showing a photograph of the Contact Pro and its trademark. To be compared with the original patent drawings and advertisement of (g) above as proof that Contact Pro is identical to the subject of the '187 patent.
5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, Section 1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Very respectfully,

Dr. Charles E. Slone
Dr. Charles E. Slone, Inventor



CRAFTECH CORP.

2941 E. La Jolla Street
Anaheim, CA 92806
(714) 630-8117
FAX (714) 630-7959

August 3, 1998

CEJ Dental.
Attn: Dr. Charles E. Slone, DDS
32332 Camino Capistrano Suite 101
San Juan Capistrano, CA 92675

Quote No. 5014

Dear Dr. Slone:

I would like to take this time to thank you for giving Craftech Corporation the opportunity to quote on the following:

TOOLING

Contact Pro II with Light Focusing Tip large and small.

Manufacture new 'A' and 'B' plates retrofittable to existing two cavity Contact Pro mold to produce above parts. Mold plates to be of 420 stainless steel with inserted light focusing lenses. Craftech's quoted costs provide for SPI/SPE #2 finish of lenses and instrument tips, textured handles and initial samples.

Total cost: \$12,850.00
Lead Time: 8-10 weeks
Sampling Cost: \$750.00 provides for 50 sets for evaluation.
Terms: 50% down with balance due upon approval.

PRODUCTION

Material quoted Bayer Apec high heat Polycarbonate color clear.
Estimated shot weight 42 grams. Estimated cycle 90 SPH.

| | |
|-------------|-------------|
| 2,000 sets | \$1.98/ set |
| 5,000 sets | \$1.79/ set |
| 10,000 sets | \$1.76/ set |

If after reviewing this information you have any questions or require clarification, please feel free to contact me. I am available to meet at your convenience.

Very truly yours,

Peter Weisel
Vice President Sales

RECEIVED
OCT 16 2003
TECHNOLOGY CENTER R3700

FAX

Craftech Corporation
2941 E. La Jolla St.
Anaheim, CA 92806

Date November 18, 1998
Number of pages including cover sheet 2

To: **CEJ Dental**

ATTN: **Dr. Charles Slone**

Phone 949 ~~(714)~~ 493-1158

Fax Phone 949 ~~(714)~~ 493-2492

CC:

From:

John Ayers

V.P Engineering

Phone (714) 630-8117X24

Fax Phone (714) 630-7959

REMARKS:

☐ Urgent

☒ For your review

☐ Reply ASAP

☐ Please comment

Dear Dr. Slone,

Attached please find mold progress report on the following under construction.

Two cavity in existing mold base for Light Focusing Tip "A" and "B" plates.

If you have any questions please call.

Thank you,

John Ayers.

V.P. Engineering

CRAFTECH CORPORATION

CEJ DENTAL ("A" & "B") PLATES

FOR CONTACT PRO II.

11/17/98

Page 1 of 1

| PROJECT STEP | 1998 | | | | START | FINISH |
|--------------|--------|--------|--------|--------|----------|----------|
| | Oct'98 | Nov'98 | Dec'98 | Jan'99 | | |
| DESIGN | 10/23 | 11/25 | | | 10/23/98 | 11/25/98 |
| MOLD BASE | | 11/18 | 12/11 | | 11/18/98 | 12/11/98 |
| CAVITY | 11/10 | | | | 11/10/98 | 12/28/98 |
| CORES | 11/10 | | | | 11/10/98 | 12/28/98 |
| ELECTRODES | | 11/24 | 12/16 | | 11/24/98 | 12/16/98 |
| E.D.M. | | 11/30 | 12/18 | | 11/30/98 | 12/18/99 |
| POLISHING | | | 12/14 | | 12/14/98 | 12/28/98 |
| ASSEMBLY | | | | 12/31 | 12/28/98 | 12/31/98 |
| COMPLETION | | | | 12/31 | 12/31/98 | 12/31/98 |
| SAMPLING | | | | 1/4 | 1/4/99 | 1/4/99 |

FAX**Craftech Corporation****2941 E. La Jolla St.
Anaheim, CA 92806****Date** December 4, 1998Number of pages including cover sheet 2**To:**CEJ DENTAL**ATTN:** Dr. Charles SlonePhone (714) 493-1158Fax Phone (714) 493-2492

CC: _____

From:John AyersV.P EngineeringFax Phone (714) 630-7959**REMARKS:**☐ Urgent☒ For your review☐ Reply ASAP☐ Please comment

Dear Dr. Slone,

Attached please find mold progress reports on the following:

Contact Pro 11 with Light Focusing Tip large and small.

Thank you,

John Ayers.

V.P Engineering.

CRAFTECH CORPORATION

CEJ DENTAL ("A" & "B") PLATES

FOR CONTACT PRO II.

Page 1 of 1

12/4/98

| PROJECT STEP | 1998 | | | START | FINISH |
|--------------|--------|--------|--------|----------|----------|
| | Oct'98 | Nov'98 | Dec'98 | | |
| DESIGN | 10/23 | 11/25 | | 10/23/98 | 11/25/98 |
| MOLD BASE | | 11/18 | 12/11 | 11/18/98 | 12/11/98 |
| CAVITY | | 11/10 | 12/28 | 11/10/98 | 12/28/98 |
| CORES | | 11/10 | 12/28 | 11/10/98 | 12/28/98 |
| ELECTRODES | | 11/24 | 12/16 | 11/24/98 | 12/16/98 |
| E.D.M. | | 11/30 | 12/18 | 11/30/98 | 12/18/99 |
| POLISHING | | | 12/14 | 12/14/93 | |
| ASSEMBLY | | | 12/31 | 12/28/98 | 12/31/98 |
| COMPLETION | | | 12/31 | 12/31/98 | 12/31/98 |
| SAMPLING | | | 1/4 | 1/4/99 | 1/4/99 |



CRAFTECH
2941 East La Jolla Street

INVOICE

CRAFTECH CORP.

2941 E. La Jolla Street • Anaheim, CA 92806 • (714) 630-8117 • FAX (714) 630-7959

INVOICE DATE
05/21/99

INVOICE NUMBER
335310

SOLD TO

CEJ DENTAL
32332 CAMINO CAPISTRANO #101
SAN JUAN CAPISTRANO, CA 92675-

SHIP TO

CEJ DENTAL
32332 CAMINO CAPISTRANO #101
SAN JUAN CAPISTRANO, CA 92675-
SAN JUAN CAPISTRANO, CA 92675-

CUSTOMER P.O. NUMBER

CUSTOMER SHIPPER NUMBER

JOB NUMBER

CUSTOMER NUMBER

SALESMAN

160

31064

20135

CEJ

PW

DATE SHIPPED

CARRIER

F.O.B.

RESALE

TAXABLE

TERMS:

05/21/99

WILL CALL

ANAHEIM

X

Net 30 Days

ITEM

QUANTITY

DESCRIPTION

UNIT PRICE

TOTAL

1182

CEJ-LG

CONTACT PRO-W/LG FOC

2.9800

3522.36

1182

CEJ-SM

CONTACT PRO-W/SM FOC

Included in Set Price

*pd ✓ #3445
7/19/99*

Past due accounts are subject to late payment "FINANCE CHARGE" of 1 1/2% per month (annual percentage rate of 18%) on the total past due amount. Any charges incurred in the collection of said account will be borne by the buyer, including court cost and attorney fees.

SUB TOTAL

3522.36

SALES TAX

0.00

FREIGHT

0.00

TOTAL

\$ 3522.36

WHITE: Original CANARY: Duplicate PINK: Accounting GOLDENROD: File

INVOICE**CRAFTECH CORP.**

2941 E. La Jolla Street • Anaheim, CA 92806 • (714) 630-8117 • FAX (714) 630-7959

INVOICE DATE
05/26/99INVOICE NUMBER
335379

SOLD TO

CEJ DENTAL
32332 CAMINO CAPISTRANO #101
SAN JUAN CAPISTRANO, CA 92675-

SHIP TO

CEJ DENTAL
32332 CAMINO CAPISTRANO #101
SAN JUAN CAPISTRANO, CA 92675-
SAN JUAN CAPISTRANO, CA 92675-

| | | | | |
|-----------------------------|----------------------------------|---------------------|------------------------|----------------|
| CUSTOMER P.O. NUMBER 160 | CUSTOMER SHIPPER NUMBER 31127 | JOB NUMBER 20135 | CUSTOMER NUMBER CEJ | SALESMAN PW |
| DATE SHIPPED 05/25/99 | CARRIER UPS GROUND | F.O.B. ANAHEIM | RESALE X | TAXABLE |
| TERMS: Net 30 Days | | | | |

| ITEM | QUANTITY | DESCRIPTION | UNIT PRICE | TOTAL |
|------|----------|----------------------|-------------|-----------|
| 612 | CEJ-LG | CONTACT PRO-W/LG FOC | 2.9800 | 1823.76 |
| 612 | CEJ-SM | CONTACT PRO-W/SM FOC | Included in | Set Price |

Past due accounts are subject to late payment "FINANCE CHARGE" of 1 1/2% per month (annual percentage rate of 18%) on the total past due amount. Any charges incurred in the collection of said account will be borne by the buyer, including court cost and attorney fees.

| | |
|-----------|------------|
| SUB TOTAL | 1823.76 |
| SALES TAX | 0.00 |
| FREIGHT | 0.00 |
| TOTAL | \$ 1823.76 |

WHITE: Original CANARY: Duplicate PINK: Accounting GOLDENROD: File



CR TECH CORP

2941 E. La Jolla Street, Anaheim, CA 92806
(714) 830-8117 • FAX (714) 830-7869

INVOICE

| INVOICE DATE | INVOICE NUMBER |
|--------------|----------------|
| 09/29/99 | 337787 |

| SOLD TO | SHIP TO |
|--|--|
| CEJ DENTAL 32332 CAMINO CAPISTRANO #101 SAN JUAN CAPISTRANO, CA 92675- | CEJ DENTAL 32332 CAMINO CAPISTRANO #101 SAN JUAN CAPISTRANO, CA 92675- |

| CUSTOMER P.O. NUMBER | CUSTOMER SHIPPER NUMBER | JOB NUMBER | CUSTOMER NUMBER | SALESMAN |
|----------------------|-------------------------|------------|-----------------|----------|
| 168 | 33861 | 21882 | CEJ | PW |

| DATE SHIPPED | CARRIER | F.O.B. | RESALE | TAXABLE | TERMS |
|--------------|------------|---------|--------|---------|-------------|
| 09/28/99 | UPS GROUND | ANAHEIM | X | | Net 30 Days |

| ITEM | QUANTITY | DESCRIPTION | UNIT PRICE | TOTAL |
|------|----------|-----------------------------|-----------------------|---------|
| | 900 | CEJ-LG CONTACT PRO-W/LG FOC | 2.9800 | 2682.00 |
| | 900 | CEJ-SM CONTACT PRO-W/SM FOC | Included in Set Price | |

Past due accounts are subject to late payment "FINANCE CHARGE" of 1 1/2% per month (annual percentage rate of 18%) on the total past due amount. Any charges incurred in the collection of said account will be borne by the buyer, including court cost and attorney fees.

| | |
|-----------|------------|
| SUB TOTAL | 2682.00 |
| SALES TAX | 0.00 |
| FREIGHT | 5.05 |
| TOTAL | \$ 2687.05 |

WHITE: Original CANARY: Duplicate PINK: Accounting GOLDENROD: File

Dentistry Today

Invoice

100 Passaic Avenue, Ste. 220
Fairfield, NJ 07004-3508
Phone: (973) 882-4700
Fax: (973) 882-3622

Invoice #: 00011747
Date: 09/08/1999
Account #: 00000800
Your PO#:
Terms: Net 30 Days
Sales Rep: WD

C.E.J. Dental
Accounts Payable
32332 Camino Capistrano
Suite 101
San Juan Capistrano, CA 92675

Advertiser: C.E.J. Dental
Caption: Contact Pro 2

| Description | | | | Amount |
|--------------|-----------------|---------|-----|----------|
| Publication: | Dentistry Today | | | |
| Issue: | Sept 99 | | | |
| Rate Card: | 18 | Freq: | 1 X | |
| Ad Size: | 1/4 Pg Hz | Page #: | 101 | 2,200.00 |
| Colors: | 4CS | | | 900.00 |

| | |
|-----------------------|-----------|
| Gross: | 3,100.00 |
| Agency Discount | -465.00 |
| Net: | 2,635.00 |
| Less Credits Applied: | -2,635.00 |
| Balance Due: | 0.00 |

Please return this stub with your remittance

Invoice #: 00011747
Date: 09/08/1999
Account #: 00000800

Bill To: C.E.J. Dental
Advertiser: C.E.J. Dental
Balance Due: 0.00

Amount Enclosed: _____